

Senate Commerce, Labor & Agriculture Committee Amendment No. 5

AMENDMENT NO. _____

Signature of Sponsor

AMEND Senate Bill No. 2973*

House Bill No. 2803

FILED

Date _____

Time _____

Clerk _____

Comm. Amdt. _____

by adding the following new section immediately preceding the last section and by renumbering the subsequent section accordingly:

Section _____. Tennessee Code Annotated, Section 50-6-113(f), is amended by deleting the subsection in its entirety and by substituting instead the following:

(f)(1) Any person engaged in the construction industry, including principal contractors, intermediate contractors, or subcontractors, shall be required to carry workers' compensation insurance. This requirement shall apply whether or not the person employs fewer than five (5) employees. Sole proprietors and partners shall not be required to carry workers' compensation insurance on themselves. In addition, the provisions of this subsection shall not apply to persons building a dwelling or other structure, or performing maintenance, repairs, or making additions to structures, on their own property for their own use and for which the person receives no compensation.

(2) Nothing within this subsection shall be construed to impact any person whose employment at the time of injury is casual as provided in Section 50-6-106.

(3) For purposes of this subsection, a person engaged in the construction industry means any person or entity who undertakes to, attempts to, or submits a price or bid or offers to construct, supervise, superintend, oversee, schedule, direct, or in any manner assume charge of the construction, alteration, repair, improvement, movement, demolition, putting up, tearing down, or furnishing labor

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to install material or equipment for any building, highway, road, railroad, sewer,
grading, excavation, pipeline, public utility structure, project development,
housing, housing development, improvement, or any other construction
undertaking.

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